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PTO/SB/21 (02-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE perwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/635.310 TRANSMITTAL Filing Date 08/06/2003 **FORM** First Named Inventor WARNER Art Unit 1616 (to be used for all correspondence after initial filing) **Examiner Name** Attorney Docket Number 5853-244 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication to Technology Center (TC) Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final **Provisional Application** Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please **Terminal Disclaimer** Identify below): Extension of Time Request postcard Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) No fees are believed necessary, but please charge any deficiencies to Deposit Account No. 50-0951. Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm AKERMAN SENTERFITT Neil R. Jetter, Registration No. 46,803 Individual name Signature Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Neil R. Jetter Date

This collection of information is required by 37 CFB.4.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

## JUN 25 2004 25 IN

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Warner et al.

Application No.: 10/635,310

Examiner:

Date Filed:

August 6, 2003

Group: 1616

For:

**INSECT BAIT** 

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-

1450 on 6/22/09

Neil R. Jetter, Reg. No. 46,803

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO-SB8A and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed documents as competent references against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner {WP185741;1}

and be made of record in the present application and that an initialed copy of Form PTO-SB8A be returned in accordance with MPEP §609.

This Information Disclosure Statement is being filed before the issuance of a first office action on the merits of the application (37 C.F.R. 1.97(b)(3)); therefore, no fee is believed to be due. However, if any fee is due, the Commissioner is authorized to charge any such fee and any additional fees due or credit any overpayment to Deposit Account No. 50-0951.

Date: 6/22/04

Respectfully submitted,

Gregory A. Nelson, Registration No. 30,577

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Docket No. 5853-244

PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

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Sheet

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/635,310			
Filing Date	08/06/2003			
First Named Inventor	WARNER			
Art Unit	1616			
Examiner Name				
Attorney Docket Number	5853-244			

-	-		U. S. PATEN	T DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (f known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,874,097-A1	02/23/1999	HENDERSON ET AL.	
		<sup>US-</sup> 4,470,979-A1	09/11/1984	VAN GESTEL	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	П
		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> ( <i>if known</i> )	MM-DD-YYYY		Or Relevant Figures Appear	T <sup>6</sup>
		JP09-301806-A1	11/25/1997	EARTH CHEM CORP		
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Examiner		Date	
Signature		Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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